UNITED
NATIONS

CCPR

International covenant
on civil and
political rights

Distr.
GENERAL

CCPR/C/SR.1171
31 July 1992

Original: ENGLISH

HUMAN RIGHTS COMMITTEE

Forty-fifth session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 1171st MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 28 July 1992, at 3 p.m.

Chairman: Mr. POCAR

CONTENTS

Organizational and other matters (continued)

* The summary record of the second part (closed) of the meeting appears as document CCPR/C/SR.1171/Add.1.

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.92-16743/4771H

The meeting was called to order at 3.20 p.m.

ORGANIZATIONAL AND OTHER MATTERS (agenda item 2) (continued)

1. The CHAIRMAN recalled that, at the next meeting, the Committee was due to adopt its final observations on State party reports considered during the session. It must decide whether the drafts of those observations should be released to the public and the press. At the previous session in March 1992, which was the first at which final observations had been issued, the Committee had decided that they should be transmitted to the States parties and then issued as an official document of the Committee. However, the final observations from that session, had still not been published. The next meeting was a public one, so the contents of the drafts would be revealed, to a greater or lesser extent, by the debate. The question was whether to issue them in printed form for distribution to the press.

2. Mr. EL SHAFEI said that observations on State party reports formed part of the Committee's report to the General Assembly through the Economic and Social Council. They should not be issued before the report itself. Members of the public and the press were free to attend the public meeting or read the official press releases if they wanted to learn about the observations.

3. Mr. SADI said that, the final observations were formally addressed to the States parties whose reports had been considered, and it would be only courteous to ensure that the States parties received them before anyone else. Of course, the content of the observations would already have been partially revealed by the discussion at the public meeting.

4. The CHAIRMAN agreed that the official text of the final observations should be sent to the States parties as soon as they had been adopted. The question was whether to release the draft text of the observations, before adoption of the final text.

5. Mrs. HIGGINS, while acknowledging the possible problem of discourtesy to States parties, said that it was nevertheless important to publicize the Committee's final observations as quickly as possible. The final observations were designed to inform States parties of the Committee's main concerns and to prevent them claiming that the Committee was satisfied with the situation in the country if it was not. Moreover, they provided an excellent opportunity to heighten public awareness of the Committee's work. She therefore felt that their publication should not await the preparation of the annual report. Perhaps the Committee could invite State party representatives to be present when the final observations were adopted. In that way, the State party would be officially informed about the observations, and they could then be made public straight away.

6. Mr. NDIAYE said that, since State party reports were considered at open meetings, the public, the press and the States parties themselves were aware of the Committee's views even before the adoption of the final observations. There was no need to refrain from publishing them until the adoption of the annual report. He endorsed Mrs. Higgins' suggestion, which would enable the final observations to be published while the issues involved were still fresh in the public mind.

7. The CHAIRMAN, summing up the debate, said that States parties should be officially informed of the date of adoption of the final observations, so that they could attend the meeting if they wished. As far as he was aware, representatives of all the States parties whose reports had been considered at the current session would be present at the next meeting anyway.

8. Mr. MYULLERSON said that, in his view, the final observations should be transmitted immediately to the States parties, and could then be made public. However, it would not be advisable to publish the draft text of the observations.

9. Mr. HERNDL said that the drafts were informal documents, prepared by a single member, which were not necessarily representative of the views of the Committee as a whole. They should certainly not be made public although, of course, the debate would reveal their contents to a greater or lesser extent. The final text, as adopted by the Committee, should be transmitted to the State party concerned as soon as possible, for instance by handing it to the representative of the State party if that representative was present at the meeting, and it could then be made public.

10. Miss CHANET said that the best solution would be to inform the State party of the meeting at which the observations were to be adopted, and publish them as soon as possible as a document of the Committee.

11. Mr. WENNERGREN suggested that the meeting at which the final observations were adopted should be private, in accordance with rule 33 of the Committee's rules of procedure.

12. Mr. ANDO said that most members seemed to think that the debate on the final observations should be public. He agreed with other members that the draft text of the observations was an informal document that should not be made public.

13. The CHAIRMAN recalled that, at the previous session, the Committee had adopted its final observations in public.

14. He suggested that the States parties concerned should be informed, both by telephone and by fax (which would constitute a notification in writing), that the final observations concerning their reports were to be adopted at the next meeting. He further suggested that the draft text of the observations should not be distributed to the press.

15. It was so decided.

The public meeting rose at 3.45 p.m.